

Mr. Howard Fast
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9/20/90

Dear Mr. Fast,

Your really fine "The Pledge" probably means more to me than to most readers because those UnAmericans tried to do with me what they did to you. I was able to beat them and more, get their agent convicted of two felonies. But the climate then, a few years earlier, was a little better and thanks to a first-rate Matz Mari, my wife, I understood how to fight them and was able to. That unprecedented success was a one-day wonder and I've never seen or heard any reference to it *since then*.

Your character Scharnoff also brought back recollections some of which may interest you. (Does it come from Sarnoff, as you have hints of the Hollywood Ten?) And you may know others who plan to write about those fascisti, fiction or nonfiction.

But first I must express appreciation of and great respect for the remarkable job you have done of telling people what real Americanism was intended to be, what it should be and isn't, and who is responsible for corrupting it. Our knowledge of your work goes back to before World War II. We've gotten and read all we've seen and found them all excellent. I know of no writer or historian *who* has made our concepts and history *more* ~~are~~ comprehensible and interesting. We are all in your debt for this.

For three years, until late 1939, I was an investigator for and editor of a Senate committee you may remember, the Civil Liberties committee. Then I started researching a book on the Dies committee. They got wind of it, didn't like the idea at all, and undertook to frame and entrap me. This was under J. Parnell Ashamed-to-be Keeney, but they were all involved. They sent their fink to give me records, some of which he fabricated. I had some questions so I interviewed him in a way that could protect me, with a stenographer taking it all down, and then I got him to swear to it before a notary. I showed these things to a small gathering of Congressmen who were opposed to that committee and although having some misgivings I was reluctant to have it used, in the end I was pressured to write a speech based on them for Congressman Frank Hook, a New Dealer from Michigan's Upper Peninsula, a decent man half Finn and half Indian. Frank came of poor people and he *had* a deformed arm as the result of a timbering accident. Because his employer was negligent and unhelpful he thereafter, including as a lawyer, was always pro-labor.

The speech made a sensation because it told the underlying truth, that Dies at all were protecting the native fascists. A few days later the committee released the confession of its own forger, and that made a bigger sensation.

Then they served a "forthwith" subpoena on me, at my home, and I told that investigator where to go because I knew that they could not command my appearance forthwith. But later they grabbed me in the Capitol building and took me to Sam Rayburn's hide-a-way, just off the floor. When a gang of them awaited me. It was like a grade-B movie. They sat me in an overstuffed chair next to a radiator and when I asked for water ran the hot spigot until it was real hot. Question overlapping question from unidentified men who were enjoying ~~specify~~ themselves. The next time I refused to appear without my lawyer, a man like your Wall Street lawyer, whose specialty was international law. All the other lawyers we approached in Washington declined to handle a case against the UnAmericans. But to the best of my knowledge they never printed my testimony. From their point of view they'd failed, I guess that is why.

As with Bacon, they were vindictive. They put pressure on the Attorney General to indict a colleague and me, and the case was referred to the United States Attorney for the District of Columbia. There was an FBI investigation, of course, and a grand jury before which I appeared so many times I can't remember how many. But in ways I won't go into, my wife learned what they were planning before the grand jury and based on this

knowledge I knew how to fight and in the end I took the grand jury away from the assistant U.S. Attorney and it refused to indict me and my colleague and did indict the Dies agent. Two counts, uttering and forging and obtaining money under false pretense. The odd twist, like your warden character, is that after it was all over this Assistant U.S. Attorney, later chief war-crimes prosecutor in Tokyo, invited me in to speak with him. He handed me a copy of what could have gotten him disbarred if I had not been trustworthy, the transcripts of Martin Dies' testimony. He told me that I might at some time need it for my protection. (Dies had had to admit that they had nothing on me.)

The need to make a living and World War II kept me from returning to that book. Oh, something I forgot, something nobody else did and after I did it became difficult if not impossible for others to do. As soon as I got their subpoena, because I knew my way around on the Hill and knew its regulations and procedures, I moved three women with upright typewriters into the office of the Clerk of the House and, in those pre-xerox days, they typed me copies of all of the expenses of the Dies committee, its Members and staff, and other expenditures. This is how I learned the fink was in their pay. Or, it is really how I was able to beat them.

As soon as the subpoenas on the Hollywood Ten was in the news, one night I was visited by a former investigator for the Civil Liberties Committee, who knew of my research for this book. He had with him Edward Dmytryk, one of the Ten. They asked for access to my work for the defense of the Ten and I let them take what they wanted. As you may recall, Dmytryk was the fink. They never used any of it, as they could have if they had been willing to fight on anything but the First amendment, and I never got any of it back. It was quite a bit, too.

Because the typists had made carbons, they may have kept a duplicate set of the committee's expenditures. What remained I gave to the University of Wisconsin at Stevens Point, where all my records were originally intended to go, and they should be available to anyone who is interested.

Those bastards could not come after me as they did you and Bacon and I'd done nothing but research a book, so they had a law passed, still on the books, making it a crime to interfere with the proper functioning of a Congressional committee. I was able to persuade the grand jury of federal employees that writing a book did not interfere and that the committee had entrapped me and had paid for the execution of the forgeries.

You may not have heard of my work, unless your sister Rena or her husband Ukus mentioned it to you. They were friends when they lived here. (I'd heard Julius was ill and moved to New York. If either or both is still alive, please convey our regards and our pleasant recollections of their kindnesses.) I did the first book on the Warren Commission and five others on the JFK assassination and the first and only accurate and pertinent book on the assassination of Dr. King. I was one of the early users of the Freedom of Information Act, with my many lawsuits setting some precedents, one getting the act amended to open FBI, CIA and similar files, and as a result I got about a third of a million pages of once-secret records. I've done the basic work on those crimes, other than the works that deceive and mislead by strange and unproven theories, and I want it to be cared for and available. This is the reason I withdrew the first gift of them from Wisconsin, which lost its interest, and arranged for them to be a permanent, public archive at local Hood College, one of the very best of the small colleges. In connection with this I've tried to get all the records the FBI and those of that ilk have on me and to recover what I let the Ten borrow.

I finally located Dmytryk through others of the Ten, none of whom had had any knowledge of what he had for their defense and didn't give them or their lawyers, and he did respond with what has to be a lie, that he had no recollection of getting all those records, dozens of books of mounted clippings on the Dies gang included, so he could not help me recover them. See why I wondered if you had him in mind in your character Scharnoff?

I've just finished reading "The Pledge" and it brought back so many recollections I ramble. I think you will understand but I do apologize for it.

If you know anyone who might be interested in these records that fill close to 60 file cabinets and countless cartons, I consider that the Freedom of Information Act makes me surrogate for the people and anyone now has free and unsupervised access and can make copies. This includes all records of the FOIA litigation in which I subjected my work to the testing of the adversary system, with most of what I filed not being lawyer

briefs but my affidavits in which I challenged the Department of Justice and the FBI to charge me with perjury if I erred. I've already transferred some to Hood, like all the records the CIA released on its toying with the mind and experiments with germs let loose on living people.

Unlike what happened to you and to Bacon, I had something to celebrate. The celebration was arranged for me, improvised on the spur of the moment, by several of the Congressmen who had dared oppose the Dies fascists plus one you may have met, a wonderful man who became a close and dear friend, Vito Marcantonio. (My, what a novel he would make! We knew him so well. For a long time he lived with me and I drove him around, including often to the White House, did some of the investigating and research he wanted done, etc., and after each meeting with FDR he told me what had transpired.)

They had it at the Mastrillon, a fine restaurant you may have known. It was a real bash, a warm and emotional night and early morning of drinking and singing and of relishing a unique event. It was the night the grand jury refused to indict me and did indict the committee's agent and through him, indicted it. Frank Hook even sang two songs to me. I think you'll remember the songs he sang as "The Dies of Texas are Upon You" and "Starnes Fell on Alabama." If you don't remember, Joe Starnes was Dies vice-chairman.

However, as you know from having lived through it, there was nothing that could turn the Congress against that committee because it was part of the cold war, too. What I thought might do it later failed miserably. It would have killed any other committee. I'd continued researching the book when I could find time and in checking up on some of what the committee did publish I discovered that in an effort to make it appear that it had looked into fascist activities it had plagiarized a Japanese anti-fascist newsletter published on the west coast. All the ~~misused~~ misused words, incorrect punctuation and garbled language was word for word, comma for comma, published as the committee's own report on its own investigations! I got photostats of the pages of this newsletter and of the committee's report and Marc got up on the floor and long before McCarthy did the original "I-hold-in-my-hand" act, but his was real. He really held it in his hands and flourished the pages in the well of the House. He had them rolling in the aisles. But they continued the committee.

We can't be far apart in years, although I hope your health is better than mine. As I look back over my 77 years and recall that I am the first member of my family born into freedom and I look back on what I have done, even the realization that so much could have been so much better does not diminish the feeling that I have come close to doing as much as a man can hope to do to justify his life. I think you can and should feel the same way, only stronger, because of the extraordinary quality and worthwhileness of the remarkable body of work you have done. It is simply wonderful and we thank you for it.

Sincerely,


Harold Weisberg